

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey R. Dahlen, et al.

Title: USE OF B-TYPE NATRIURETIC
PEPTIDE AS A PROGNOSTIC
INDICATOR IN ACUTE
CORONARY SYNDROMES

Appl. No.: 09/835,298

Filing Date: 4/13/2001

Examiner: Lam, Ann Y.

Art Unit: 1641

Confirmation 4762

Number:

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated January 29, 2007, finally rejecting Claims 23-28, 32-34 38.

[] Applicant claims small entity status.

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

The required fees are calculated below:

[<input checked="" type="checkbox"/>]	Notice of Appeal Fee	\$500.00
[<input type="checkbox"/>]	Extension for response filed within the first month:	\$0.00
[<input type="checkbox"/>]	Extension:	\$0.00
	FEE TOTAL:	\$500.00
[<input type="checkbox"/>]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$500.00

The above-identified fees of \$500.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 03/05/2007

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

By Barry Wilson

Richard Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant